

Entered: May 16th, 2025

Signed: May 15th, 2025

SO ORDERED

Michelle M. Harner
 MICHELLE M. HARNER
 U.S. BANKRUPTCY JUDGE

**THE UNITED STATES BANKRUPTCY
 COURT FOR THE DISTRICT OF MARYLAND
 (Baltimore Division)**

In re:

**THE WEST NOTTINGHAM ACADEMY
 IN CECIL COUNTY**

Debtor.

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**Case No. 23-13830-MMH
 Chapter 11 (Subchapter V)**

**CONSENT ORDER AUTHORIZING FIRST NATIONAL BANK TO PURSUE STATE
 COURT REMEDIES AGAINST THE DEBTOR'S REAL PROPERTY**

Before the Court is the Motion for Relief Pursuant to 11 U.S.C. § 362(d)(1), or, in the Alternative, Motion to Convert to Chapter 7 Pursuant to 11 U.S.C. § 1112(b) (the “Motion”) and Section 12.6 of the confirmed First Amended Plan (“Plan”) filed by First National Bank (“FNB”) due to Debtor’s default under Section 12.4 of the Plan and the opposition thereto filed by The West Nottingham Academy in Cecil County (the “Debtor”). In the course of the proceedings, the Debtor’s DIP Lender, Casa Laxmi, SA (“Casa Laxmi”) raised issues asserting that FNB lacked standing to pursue its Motion and that there were other parties in interest that needed to be joined in order to resolve the issues raised in the Motion with which assertion FNB disagreed . Following a hearing on Casa Laxmi’s arguments, the Court determined that the issues raised by

Casa Laxmi were issues that were more properly addressed in the State Court in the event that there were foreclosure proceedings, and that the Court would not address the issue in these proceedings.

Following the Court's ruling, and prior to the hearing on the merits of the Motion, the parties advised the Court that they had agreed to a process to resolve the rights of the parties outside of this Court. More than six months has elapsed after the entry of a final order of confirmation has become non-appealable in this case. There were no deposits required by the Debtor's Plan of Reorganization (the "Plan") and there was no property proposed by the Plan to be transferred. The Debtor has continued to manage all of the property dealt with by the Plan and payments under the Plan have commenced. For these reasons, and the Court being satisfied with the agreement reached by the parties, it is this day by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the Motion be, and hereby is, GRANTED, for the limited purpose of lifting the injunction in Section 12.6 of the Plan thereby allowing FNB to exercise its State Court rights with regard to the real property and other FNB collateral owned by the Debtor; and it is further

ORDERED, that nothing in this Order shall be read as to preclude the Debtor or Casa Laxmi from raising any defenses against any claims that FNB may assert in State Court proceedings, nor limit any exercise of the rights and remedies of FNB in State Court pursuant to its loan documents with Debtor; and it is further

ORDERED, that because the entry of this Order will resolve the Motion and thereby will have fully resolved all motions, contested matters and adversary proceedings in this case,

following the entry of this Order, the Debtor shall file a Motion for the entry of a final decree in accordance with the provisions of Local Rule 3022-1(4) so that this case may be closed.

Date: May 15, 2025

/s/ Jeffery M. Orenstein
Jeffrey M. Orenstein (#07512)
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Attorneys for Debtor

Date: May 15, 2025

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Attorney for First National Bank

CERTIFICATION OF SIGNATURES

I HEREBY CERTIFY that the terms of this Consent Order submitted to the Court are identical to those set forth in the original Consent Order; and that signatures represented by the /s/ on this copy reference the signatures of consenting parties on the original Consent Order.

/s/ Jeffery M. Orenstein
Jeffrey M. Orenstein

cc:

Debtor
Debtor's Counsel
Creditor's Counsel
Subchapter V Trustee
U.S. Trustee

END OF ORDER